

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/743,563
Confirmation No.: 5056
Filing Date: December 22, 2003
Examiner: Zinna Northington Davis
Group Art Unit: 1625
Applicants: Charrier, et al.
For: CASPASE INHIBITORS AND USES THEREOF

October 3, 2008
Cambridge, Massachusetts

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

- (a) Pursuant to 37 C.F.R. §1.56, it is requested that the documents listed on the accompanying Form PTO/SB/08a be considered and made of record in the above-identified patent application.
- ☒ Copies of references Citation No(s). U.S. Patent Application Publication Documents (1); Foreign Patent Documents (1 - 5); and Non-Patent Literature Documents (1 - 2) are attached.
 - ☐ Copy(ies) of references Citation No(s). _____ was/were filed in application U.S. Application No(s). _____ filed _____, from which this application claims priority under 35 U.S.C. § 120.
 - ☐ A copy of the International Search Report received in the corresponding PCT Application No. _____ is attached herewith.

- (b) ☒ No fee is believed due because:
- ☐ The Information Disclosure Statement is being filed within three (3) months of the filing date of the application.
 - ☐ The Information Disclosure Statement is being concurrently filed with the above-identified application.
 - ☒ The Information Disclosure Statement is being concurrently filed with a Request for Continued Examination (RCE).
 - ☐ The Information Disclosure Statement is being filed prior to the mailing of a first Office Action on the merits.
- (c) ☐ The Information Disclosure Statement is being filed before the mailing date of any final action, notice of allowance or an action that otherwise closes prosecution; and
- ☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
 - ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement; or
 - ☐ The Director is hereby authorized to charge \$180.00 to Deposit Account No. 50-0725.
- (d) ☐ The Information Disclosure Statement is being filed on or before the payment of the issue fee; and
- ☐ Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or
 - ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement; and
 - ☐ The Director is hereby authorized to charge \$180.00 to Deposit Account No. 50-0725.

- ☒ The Director is hereby authorized to charge any additional fees that may be required for the Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0725.

Examiner: _____

Date: _____

Respectfully submitted,

/Jennifer G. Che/
Jennifer G. Che, Reg. No. 58,035
Agent for Applicants
c/o Vertex Pharmaceuticals Incorporated
130 Waverly Street
Cambridge, Massachusetts 02139
Tel: (617) 444-6525
Fax: (617) 444-6483